

**ENTERED**

December 16, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

JOSE ASCENCIO SOTO-RAMIREZ JR.,	§	
	§	
Petitioner	§	
VS.	§	CIVIL ACTION NO. 5:19-CV-12
	§	CRIM. ACTION NO. 5:17-CR-439
UNITED STATES OF AMERICA,	§	
	§	
Respondent.	§	

**ORDER**

On November 8, 2019, United States Magistrate Judge John A. Kazen issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1), which advises the Court to deny Petitioner's § 2255 motion (Dkt. No. 25; Cr. Dkt. No. 55). Neither party has filed objections. After reviewing the proposed findings and recommendations for plain error, the Court hereby **ADOPTS** the Report and Recommendation (Dkt. No. 25; Cr. Dkt. No. 55) as the opinion of the Court. Petitioner's § 2255 motion (Dkt. No. 1; Cr. Dkt. No. 32) is **DENIED**, and this civil action is **DISMISSED WITH PREJUDICE**.

Because Petitioner has not made a substantial showing of a denial of a constitutional right, the Court also finds that an appeal would not be taken in good faith. Accordingly, any request for a certificate of appealability is hereby **DENIED**.

It is so **ORDERED**.

**SIGNED** December 16, 2019.



Marina Garcia Marmolejo  
United States District Judge